

PEDRO GARCIA, ETANO

Plaintiff(s)

- against -

Index # 07 CV 5702 (HELLERSTEIN)

CITY OF NY, ETAL

Purchased June 14, 2007

File # 21-18

Defendant(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

STEVEN C. AVERY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on September 4, 2007 at 12:10 PM at

SECRETARY OF STATE
ALBANY, NY

deponent served the within SUMMONS & VERIFIED COMPLAINT on EMPIRE STATE PROPERTIES, INC. therein named,

SECRETARY OF STATE a Domestic corporation by delivering two true copies to DONNA CHRISTIE, LEGAL CLERK personally, deponent knew said corporation so served to be the corporation described in said summons as said Defendant and knew said individual to be AUTHORIZED to accept thereof.

Service upon the N.Y.S. Secretary of State under Section 306 of the Business Corporation Law and tendering the required fee.

Deponent further states that he describes the person actually served as follows:

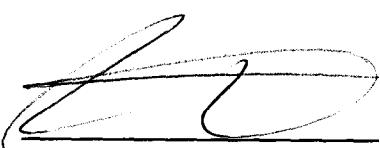
Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx)
<u>FEMALE</u>	<u>WHITE</u>	<u>BLONDE</u>	<u>35</u>	<u>5'5</u>	<u>140</u>

That at the time of such service deponent knew the person so served as aforesaid to be the same person mentioned and described as the Defendant in this action.

Sworn to me on: September 4, 2007

JOEL GRABER
Notary Public, State of New York
No. 02GR4699723
Qualified in New York County
Comm. Expires February 10, 2010

JONATHAN GRABER
Notary Public, State of New York
No. 01GR6156780
Qualified in New York County
Comm. Expires December 4, 2010


STEVEN C. AVERY

Invoice #: 447047

UNITED PROCESS SERVICE, INC., 3RD FLOOR, 315 BROADWAY, NEW YORK, NY 10007 - (212) 619-0728